

UPDATED 8/01/08

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Answer: No, the emergency rule states “(c) **No retailer shall conduct any event in which the winner of a prize is determined, in whole or in part, on a sporting event.**”

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UPDATED 7/17/08

Do we really need to keep all winning tickets and unsold tickets, or can we just keep the larger winners of over \$50?

Answer: Yes, you must keep all winning tickets valued at \$50 or more, and all unsold tickets.

Why do we need to verify identity on big winners?

Answer: This is for enforcement purposes, and to protect the bar owner. The bar will need to card and write down the name and birth date on the ticket for all winners of prizes over \$50.

How do you value raffle prizes for the sake of calculating your net sales?

Answer: It is up to the bar to assign a fair market value.

Bars whose liquor licenses expire in July & August have already filed for their renewal for this year, but their gaming permits will expire in June of next year. When & how will those licenses get synced up?

Answer: Gaming permits and alcohol permits will renew at the same time starting in year 2 of pull tab sales.

Can employees who are over 21, but do not have a server permit, sell type II gaming?

Answer: Yes.

Is it necessary to have separate bank accounts?

Answer: For now, you will need to have some type of separate bank account. However, as long as you have some way to record gaming sales on your register or POS system that can show where the money in your drawer was generated (i.e. food, alcohol, gaming sales) and run a report, you can commingle the funds at your establishment. Then all that you will need to do is deposit your gaming revenue into your gaming account. Once deposited, the money can then be moved back over to your operating account.

What if we have a big winner early in a game, or early in the day before we've had enough sales to cover the winner. Can we "loan" money into our gaming shoe box until the money matches up?

Answer: Yes.

Where did the quarterly reporting come from for the first year? Is there a reason behind it?

Answer: For now, there will not be a requirement for quarterly reporting of gaming revenue. Reporting will be expected yearly and the forms for this reporting will be available soon on the ATC website.

Can shortages be deducted from sales to come up with net?

Answer: Yes.

If the ATC website shows that you have an active gaming permit, but you have not yet received it in the mail, can you begin selling to customers?

Answer: No, you must wait on your permit to arrive in the mail. You can however request a temporary letter of authority, if the ATC website indicates your permit is active, and one can be faxed to you.

What type of gambling will I be allowed to have in my establishment with a type II gambling endorsement?

The statute authorizes a retailer to sell and conduct a type II gambling game on the premises of the retailer's tavern. Type II gambling game includes pull tabs, punchboards and tip boards. The endorsement also allows the following:

- (1) Raffles - retailer retains the proceeds of the raffle drawing.
- (2) Winner take all drawings - retailer retains no portion of the amounts wagered.

Raffles and winner take all drawings may not exceed three hundred dollars (\$300).

How long is the gambling endorsement good for and can I transfer it to someone else?

The type II gambling endorsement is valid for one (1) year.

An endorsement or a license issued under this article may not be transferred without prior written approval of the commission.

Who is eligible to receive a type two gambling endorsement?

A person must operate a tavern licensed under IC 7.1-3 to sell alcoholic beverages to customers for consumption on the premises of the tavern.

Application must state the name and address of the applicant and of any person holding at least a ten percent (10%) interest.

How much is the fee for type II gambling endorsement?

The initial cost is \$250 for a retailer's initial endorsement fee. The cost for renewal will be determined by your adjusted gross revenue for the following year.

Where can I have type II gambling in my establishment?

Type II gambling games, raffles, and winner take all drawings may not be offered in any part of the retailer's licensed premises in which a minor may be present under IC 7.1-5-7-11(a)(16).

Where can I buy my type II games to sell in my establishment?

A retailer must obtain the type II gambling game only from a distributor licensed by the commission.

Are there prize payout rates that are mandated by statute?

Yes, they are listed below:

- PRIZE/PAYOUT
 - A single prize awarded for one (1) winning ticket in a type II gambling game may not exceed five hundred ninety-nine dollars (\$599).
 - The total prizes awarded for one (1) type II gambling game may not exceed five thousand dollars (\$5,000).
 - The selling price for 1 ticket for a type II gambling game may not exceed \$1.
 - A type II gambling game must pay out at least seventy-five percent (75%) and not more than one hundred percent (100%) of the amount wagered (unless sold for less than \$1).
 - If a type II gambling game ticket is sold for less than \$1, the following payout rule applies:

Purchase Price	Minimum Payout %
\$0.10	60%
\$0.25	65%
Three (3) tickets for one dollar (\$1)	65%
\$0.50	70%
 - A type II gambling game's pay out percentage must be stated on the ticket or on the accompanying flare.

Will there be record keeping requirements for this type II gambling and need it be separate from the record keeping for food and alcoholic beverage sales in my establishment?

Yes, a retailer shall maintain accurate records of all financial aspects of the retailer's type II gambling operation. A retailer shall make accurate reports of all financial aspects of the type II gambling operation to the commission within the time established by the commission. The commission shall prescribe forms for this purpose. The receipts from type II gambling operation may not be commingled with the receipts of the retailer's alcoholic beverage sales, food sales, and other related non-gambling activities.

Can this type II gaming endorsement be suspended or revoked by the commission like my alcoholic beverage license can?

Yes, the commission may suspend or revoke the endorsement or license of or levy a civil penalty against a licensee for any of the following:

- (1) Violation of a provision of this article or of a rule of the commission.
- (2) Failure to accurately account for type II gambling games.

- (3) Failure to accurately account for sales proceeds from type II gambling operations.
- (4) Commission of a fraud, deceit, or misrepresentation.
- (5) Conduct prejudicial to public confidence in the commission.

Can anyone play these type II gambling games?

No, in fact it is a Class A misdemeanor for a retailer who (1) permits a person less than 21 years of age to play a type II gambling game; or (2) wagers or accepts a wager on a type II gambling game at a location other than a retailer's licensed premises.

Who can become licensed as a manufacturer or distributor?

To qualify for a distributor's license or a manufacturer's license under this chapter, a person must also be a licensed distributor or manufacturer under IC 4-32.2 (licensed with Charitable Gaming).

When can I apply for my type II gaming endorsement?

Applications will be online and available soon. Keep checking on the ATC website for any updates.

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